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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,465	11/08/1999	JUNICHI REKIMOTO	SONY-Q-9320	6689

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EXAMINER
JOSEPH, THOMAS J

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 09/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/436,465	REKIMOTO, JUNICHI
	Examiner	**Art Unit**	
	Thomas J Joseph	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 July 2002* .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claims 1, 14, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by

Mastering Windows 3.1 Special Edition by Robert Cowart.

Claims 1, 14, and 26 are rejected. Cowart teaches the display of a window (p.

809). This display requires use of a hardware device that uses software. This

hardware coupled with software is the "information processing apparatus" and

"information processing method" as cited by the Applicant in claims 1 and 14. Cowart

teaches the display of day and time settings means for setting and storing day and time

information (p. 809). This information requires the use of a "storage means for storing

created or changed data in a given state, wherein said given state is based on time

information corresponding to a time at which said data is stored" as cited by the

Applicant. Further, a "day and time setting means for setting desired day and time" as

cited by the Applicant. Cowart teaches a method for choosing "day and time setting

means for setting a desired day and time" as cited by the Applicant. When the files are

saved, a desired day and time of the time of saving is stored. The claim language does

not require that the user select or set this desired day and time. This process translates

into the requiring a "control means for locating data stored at said set day and time

based on said time information and for reproducing said given state of said data at said

item at which said data was stored" as cited by the Applicant. Further, Cowart

demonstrates locating data that can be reproduced using date and time information (p.

810).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 2 – 4, 6, 8, 9, 15, 16, 18, 20, 21, 27, and 28 rejected under 35

U.S.C. 103(a) as being unpatentable over by *Mastering Windows 3.1 Special Edition* by

Robert Cowart as applied to claims 1, 14, and 26 above, and further in view of Jenson

et al. (US 6,236,396).

Claims 2,15, and 27 are rejected. Cowart teaches a storage means for storing a

created or changed file in a given state wherein date and time setting means sets date

and time according to a past or future screen (p. 810). The Applicant does not suggest,

teach, or disclose an explanation for the type of state referred to in the claim language. Cowart teaches a control means for locating a file stored at a said day and time based on said time information (p. 810).

Cowart fails to teach loading corresponding past or future screens from said storage means and reproducing the said given state of said file along with said corresponding past or future screens. Cowart provides only the date of the last storing of the stored data file. Cowart does suggest the need for allowing a user to view a filing history of stored data files. Jenson teaches loading corresponding past or future screens from said storage means and reproducing the said given state of said file along with said corresponding past or future screens (fig. 5a – 5d). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine loading corresponding past and future screen taught by Jenson with the date and time setting means taught by Cowart. Doing so allows for the tracking of data file histories.

Claim 3 is rejected. Cowart fails to teach or demonstrate entering character strings into a scheduler. Jenson teaches or demonstrates the entering of character strings into the scheduler (fig. 3a). Jenson teaches the use of a stylus for entering data including time data (col. 6, lines 4 – 7). This teaching by Jenson translates into an "input means for inputting a character string to be retrieved" as cited by the applicant in claim 3. Jenson teaches selecting time data "when the stylus (38) is lifted from the screen (42), step (56) realizes that a date or range of dates has been selected" (col. 6, lines 4 – 7). This selection results in the retrieval of information associated with the said dates while Applicant cites in claim 3 a "retrieval means for retrieving a file

corresponding to the character string input from said input means with respect to a past or future screen". It would have been obvious to one with ordinary skill in the art at the time of the invention to combine entering character strings into a scheduler taught by Jenson with the date and time setting means taught by Cowart. Doing so allows the user to make necessary alterations to data.

Claims 4 and 16 are rejected. Cowart fails to teach a document file, an image file, and a character string. Jenson teaches the use of QUICKDRAW for entering graphics information associated the particular date and time along with the date and time (col. 5, lines 33 – 36). Jenson teaches a character string (fig. 3a). Jenson demonstrates "a document file, an image file, and a character string" as cited by the Applicant. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the document file, an image file, and a character string taught by Jenson with the file management disclosed by Cowart. Doing so allows for entering document and graphic data into the files.

Claim 6 and 18 are rejected. Cowart teaches "day and time at which said file is changed and the revision information of said file" (p. 810) as cited by the Applicant.

Claim 8, 20, and 28 are rejected. Cowart fails to teach an apparatus where the user selects a day then receives additional information regarding that day onto a computer screen. Jenson demonstrates an apparatus where the user selects a day then receives additional information regarding that day onto a computer screen (fig. 3a). Jenson, in doing so, teaches a "time information transmission and receiving means which is capable of transmitting and receiving said time information is provided" as cited

by the Applicant. The selecting process taught by Jenson includes a method for allowing the said position to be "stored in such a manner as to correspond to time information in said storage means" as cited by the Applicant. Furthermore, the act of displaying taught by Jenson is a "setting means sets said day and time on the basis of received time information" as cited by the Applicant. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the apparatus where the user selects a day then receives additional information regarding that day onto a computer screen taught by Jenson with the file management disclosed by Cowart. Doing so allows the user to make changes and corrections to date and time information as needed.

Claim 9 and 21 are rejected. Cowart fails to teach selecting a day and receiving information regarding the said day. Jenson teaches selecting a day and receiving information regarding the said day (fig. 3a). Jenson, in doing so, teaches a "position detection means for detecting a position is provided, said position is also stored in such a manner as to correspond to time setting means and sets day and time on the basis of time information corresponding to said position" as cited by the Applicant. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine selecting a day and receiving information regarding the said day taught by Jenson with the file management disclosed by Cowart. Doing so allows the user to make changes and corrections to date and time information as needed.

5.   Claims 5 and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over *Mastering Windows 3.1 Special Edition* by Robert Cowart and Jenson et al. (US

6,236,396) as applied to claims 4 and 16 above, and further in view of Heatherington et

al. (US 6,141,005).

Claim 5 and 17 are rejected. Cowart and Jenson fail to teach a color of said

character string changes over time and is displayed on said screen. Heatherington

teaches a control means for performing controls so that the color of said character string

changes over time and is displayed on said screen (fig. 11; col. 11, lines 45 – 55). The

days on the calendar with altered colors are time related character strings. The

highlighted days are considered days on the calendar having altered color. Character

strings appear in the form of numbers, letters, and/or punctuation. It would have been

obvious to one with ordinary skill in the art at the time of the invention to combine the

color altering of a character string over time taught by Heatherington with the data

system disclosed by Cowart and Jenson. Doing so can alert the user quickly.

6.   Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mastering Windows 3.1 Special Edition by Robert Cowart and Jenson et al (US

6,236,396) as applied to claims 2 and 15 above, and further in view of Microsoft Outlook

97 by Russell Borland.

Claim 7 and 19 are rejected. Cowart and Jenson fail to teach a storing step for

storing the difference between said file before it is changed and said file after it is

changed. However, processing files in such a manner is suggested through the use of

a calendar whenever the user makes reference to specific documents such as calendar

notes. Microsoft Outlook teaches a method wherein the "storing step stores the

difference between said file before it is changed and said file after it is changed, and

said control step reproduces a desired file from said difference on the basis of said time

information" as cited by the Applicant (p. 339). The user can save a new copy of a work

file each day. This would in essence be the method for the "storing step stores the

difference between said file before it is changed and said file after it is changed, and

said control step reproduces a desired file from said difference on the basis of said time

information" cited by the Applicant. It would have been obvious to one with ordinary skill

in the art to combine the method for storing the difference between said file before it is

changed and said file after it is changed, and said control step reproduces a desired file

from said difference on the basis of said time information taught by Outlook with the

time and date system taught by Cowart and Jenson. Doing so enables the user to track

changes to stored files as taught by Outlook.

7.   Claims 10 – 13 and 22 – 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over *Mastering Windows 3.1 Special Edition* by Robert Cowart as applied

to claims 1 and 14 above, in view of Jenson et al (US 6,236,396) and Microsoft Outlook

97 by Russell Borland.

Claims 10 and 22 are rejected. Cowart fails to teach a storage means for storing

an application program that is capable of transmitting and receiving time information,

said day and time setting means which sets said day and time on the basis of the time

information. Jenson teaches a storage means for storing an application program that is

capable of transmitting and receiving time information, said day and time setting means

sets said day and time on the basis of the time information (fig. 5a – 5d).

Jenson fails to teach a said day and time setting means sets said day and time on the basis of time information received from another application program. It would have been obvious to combine the storage means for storing an application program that is capable of transmitting and receiving time information taught by Jensen with the day and time setting means taught by Cowart. Doing so provides greater detail in the recording and retrieval of time tracking data.

Outlook teaches using a day and time setting means which sets said day and time on the basis of time information received from another application program, and said control means for reproducing the state of the application program corresponding to the set day and time (p. 65). It would have been obvious to combine the day and time setting means taught by Outlook with the data management system disclosed by Cowart and Jenson. The appointment reminder is a method for reproducing the state of a type of application program corresponding to the set day and time. Doing so provides the user with options such as regular alerts and status update.

Claim 11 and 23 are rejected. Jenson teaches a means wherein the user selects a day and receives information related to the said day. This is a method for setting a "said day and time setting means sets the day and time closest to said received time information" as cited by the Applicant (fig. 3a). The phrase, "closest to said received time information" cited by the Applicant is interpreted as a relative term meaning anywhere on a small display screen.

Claim 12 and 24 are rejected. Cowart and Jenson fail to teach a method for storing and accessing files in a date and time based journal. Jenson teaches a

calendar system (fig. 3a). Jenson fails to teach storing and accessing files in a date and time based journal. Outlook teaches a method for storing and accessing files in a date and time based journal (p. 339). This management system translates into a "file management system." It would have been obvious to one with ordinary skill in the art to combine the method for the a method for storing and accessing files in a date and time based journal by Outlook with the time and date filing system taught by Jenson and Cowart. Doing so enables the user to track store and retrieve file data such as documents in addition to schedule information as taught by Outlook.

Claim 13 and 25 are rejected. Cowart and Jenson discloses in rejected claim 10 an application program containing "a position and time information management program for managing input position information and the time information corresponding to the position information" as cited by the Applicant in claim 13. The selecting of days on the calendar is time related information and is also selecting a position. Accessing information already becomes an operation for "managing input position information and the time information corresponding to the position information" as cited by the Applicant.

Response to Arguments

8.   The Applicant amends claims 1, 2, 14, 15, 26, and 27 while requesting reconsideration for the corresponding dependent claims.

9.   Applicant's arguments with respect to claims 1 – 28 have been considered but are moot in view of the new ground(s) of rejection.

However, the Applicant asserts that the general scheduler taught by Jensen differs from the day and time tracking system taught by the Applicant. Examiner

responds by stating that the claim language fails to explain the purpose for the day and

time setting means for setting a desire day and time. Any day or time information stored

in a computer system is a day a time system as claimed by the Applicant. The

Applicant fails to provide additional reasoning supporting the withdrawing of the

rejection of claims 1 – 28.

Due to at least the above reasons, the rejection of claims 1 – 28 remains

standing.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J Joseph whose telephone number is 703-305-

3917. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-746-7239

for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

tjj

August 23, 2002

Kristine Kincaid

KRISTINE KINCAID
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